

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CAMILLE GASTON,

Plaintiff,

-against-

ALLIED UNIVERSAL,

Defendant.

ANALISA TORRES, District Judge:

Plaintiff *pro se*, Camille Gaston, brought this action under 42 U.S.C. § 1983 against Defendant, Universal Protection Services, LLC, s/h/a Allied Universal (“Universal Protection”), for injuries she allegedly obtained at the Catherine Street Family Respite Shelter. ECF No. 1 at 4–5. Universal Protection moved to dismiss for failure to state a claim, asserting that it is a private security company and not a state actor subject to Section 1983. ECF No. 12 at 3; *see also Bishop v. Toys “R” Us-NY LLC*, 414 F. Supp. 2d 385, 396 (S.D.N.Y. 2006) (explaining that private security guards are not usually state actors under Section 1983); *Jallow v. Geffner*, No. 23 Civ. 3969, 2024 WL 37073, at *9 (S.D.N.Y. Jan. 2, 2024) (explaining that a private organization’s “operation of homeless shelters or receipt of funds from the City of New York is not sufficient to turn it and its employees into state actors”). On September 4, 2024, the Court ordered Plaintiff to show cause why this case should not be dismissed for failure to state a claim. ECF No. 14. The Court has not received Plaintiff’s response, which was due on October 4, 2024.

Accordingly, Plaintiff’s complaint is DISMISSED for failure to state a claim. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 10 and send a copy of this order to Plaintiff *pro se*.

SO ORDERED.

Dated: October 22, 2024
New York, New York

USDC SDNY
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24 Civ. 5355 (AT)

ORDER



ANALISA TORRES
United States District Judge